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MISSOURI STATE AUDITOR

Fields Creek Township
Investigative Summary

Summary of Significant Complaint(s) reported:
The Missouri State Auditor's Office (SAO) Whistleblower Hotline received a complaint alleging the former Fields Creek Township Board disbursed funds to an asphalt company without soliciting bids and may have misappropriated township funds.

Background:
Fields Creek Township is located in Henry County and was established in 1873. According to the U.S. Census Bureau, the township's population was 1,686 in 2020. The township is governed by a 3-member elected board and a clerk. Two board members serve as Board President and Treasurer. As of April 2026, the Clerk position was vacant and only one Board member from the period under review, Brad Smart, remains in office.

Methodology:
Our investigation included a review of township bank records, asphalt purchase invoices, and discussions with Board member Smart and the current Treasurer.

Complaint Review:
The township paid over $421,000 to an asphalt company that was not selected through a bid process, and the Board did not document its justification for using a sole source provider. Additionally, the Board did not retain meeting minutes, and our review of disbursements noted there was no documentation to support the amounts paid to Board members.

Road Project
Although the Board advertised for asphalt work on unnamed roads in March 2025, no bids were received. Board member Smart indicated he then contacted an asphalt company previously used by the township and the company agreed to complete the work. However, this was not documented in any meeting minutes or other record. The contract with the asphalt company and the checks to pay for the contracted work were signed by Board member Smart and the two former Board members. Documentation is necessary to demonstrate a transparent and appropriate vendor selection process.

The Board made 3 payments to the contractor in April 2025, totaling $421,830. All 3 payments were issued prior to the invoice date, including 2 invoices that were not generated until June and November 2025. This indicates that the Board issued payments prior to completion of the work and without sufficient documentation to support the amounts paid. These payments accounted for approximately 75% of the township's cash balance at the time, reducing the balance to approximately $131,000. The work was performed on a road where a former Board member resides. Although Board member Smart indicated the road was chosen because it was last repaired 20 years prior, the Board did not document how the decision was made, creating at least the appearance of a conflict of interest. As of January 2026, the project remained incomplete.

Sunshine Law Compliance

The Board did not prepare, post, or retain tentative meeting agendas, or take and retain meeting minutes as required. We requested meeting minutes to perform our review, but township personnel indicated the previous Board did not post agendas or take meeting minutes. Board member Smart confirmed that records of meetings were minimal.

Failure to post agendas and take and retain meeting minutes reduces the transparency of township activities. Meeting minutes serve as an official record of township business, actions, and decisions. Section 610.020.7, RSMo, states minutes of open and closed meetings shall be taken and retained by the governmental body. In addition, Section 610.020.1, RSMo, requires public entities to give notice of the time, date, and place of each meeting, and its tentative agenda, to advise the public of matters to be considered.

Elected Official Pay

Board members' pay was not supported by documentation. Board member Smart indicated the members were paid based on meeting attendance and the Treasurer was paid based on township expenditures. Each Board member was paid $595 annually and the 2 members who left office in April 2025 were paid $200 for the partial year. Because the Board did not retain meeting minutes or any record of meeting attendance there is nothing to support that the amount paid was accurate. Section 65.230(1), RSMo, states members of the township board shall each receive a maximum amount of $50 per day for the first meeting each month and a maximum amount of $20 for each meeting thereafter during the month. If the township held one meeting each month, the Board members would have been entitled up to $600 for 2024 and $200 through April 2025. Adequate documentation is necessary to ensure Board member pay complies with statutory limits.

Conclusion:

The township Board did not operate in a transparent manner. The Board failed to comply with the Sunshine Law and did not document how it selected its vendor or the road that would be repaired creating the appearance of a conflict of interest. Additionally, the Board paid for the road project without sufficient documentation to support the amount paid and before any significant completion of the work. The Board also paid members based on meeting attendance without supporting documentation. We will issue a closing letter recommending the Board comply with the Missouri Sunshine Law, appropriately document all procurement and road maintenance decisions, and ensure there is sufficient documentation to support all invoices paid and Board compensation.